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C O R R E C T E D C O P Y - PARAGRAPH NUMBERS

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [RW](#)  
SUBJECT: RWANDA - MONTHLY POLITICAL ROUNDUP

REF: A. KIGALI 380  
    [1](#)B. KIGALI 450  
    [1](#)C. KIGALI 392

Classified By: CDA Cheryl Sim for reasons 1.4 (b) and (d).

Summary

[11.](#) (U) This edition of the monthly political roundup includes:

- Constitutional Amendments - Responding to Indictments
- Last Political Prisoner Seeks Pardon, Without Apology
- Prison Life Gets Tougher - New Policy on Visits and Food
- Senate Calls for Closure of Gikondo Detention Center

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Constitutional Amendments - Responding to Indictments  
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[12.](#) (U) On July 17 the Rwandan Parliament adopted 50 amendments to its Constitution. Among other changes, the document officially redefines the 1994 genocide as the "Tutsi genocide (ref A)." Several articles address the presidency, notably Article 20, which grants former presidents immunity from prosecution for crimes committed while in office. Another provision alters life tenure granted to judges, shortening it to terms of four or five years. A new amendment also requires the National Electoral Commission to report to the President rather than the Parliament.

[13.](#) (SBU) Comment: Most of the amendments represent minor updates and corrections. Several provisions may be a government response to recent French and Spanish indictments of senior Rwandan officials (ref B and previous). The Spanish indictment ignores the 1994 genocide all together and accuses the RPA of committing genocide against the Hutus when it came to power; this, and claims of President Kagame's involvement in committing war crimes have caused great consternation in the Government of Rwanda (GOR). Article 20 will protect Kagame from being subject to any domestic court proceedings stemming from the indictments once his term is ended. Renaming the 1994 tragedy makes clear the inordinate suffering experienced by the Tutsi community, but may be a step back for reconciliation efforts - it devalues the many moderate Hutus who were killed, and makes permanent the

ethnic division the GOR purports to wish to overcome. The elimination of life tenure for most judges (the President and Vice President of the Supreme Court retain their previous eight-year tenures) represents a potential reduction in judicial independence. End comment.

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Last Political Prisoner Seeks Pardon, Without Apology  
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¶4. (C) Former Transport Minister Charles Ntakirutinka, convicted with former President Pasteur Bizimungu in 2004 of creating a criminal association for his role in establishing a new political party, has become the focus of an Amnesty International campaign seeking his pardon. His wife recently visited several diplomatic missions in support of those efforts. Ntakirutinka is the sole remaining political prisoner in Rwanda - Bizimungu and the others convicted at the same time have since been released.

¶5. (C) Post obtained a copy of a 2006 letter from Ntakirutinka to President Kagame in which he suggested he would "be of more use in a better way than by spending six more years in prison" and "humbly" requested pardon. Bizimungu reportedly apologized for his actions in his own QBizimungu reportedly apologized for his actions in his own successful letter requesting pardon. When asked why her husband had not done the same, Ntakirutinka's wife responded he "could not apologize for something he didn't do; he started a new party, that is all."

¶6. (SBU) Comment: It is not clear why this effort is emerging now, but a presidential pardon of Ntakirutinka, Rwanda's last political prisoner, would be a positive development, and one that would play well in the international press ahead of Rwanda's upcoming legislative elections. End comment.

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Prison Life Gets Tougher  
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¶7. (U) The Ministry of Internal Security adopted a new food and visitation policy in Rwanda's prisons in early July. The new policy limits visits to twice a month (versus twice a week or more previously) and prohibits visitors from bringing food to prisoners.

¶8. (C) While some external critics fault the GOR-provided food as being vitamin deficient and the policy as "a death sentence in disguise," the Rwandan prison system generally gets high marks from the local ICRC office, which visits prisons regularly. There were rumors of two "starving" prisoners being shot during escape attempts to search for food as a result of the new policy, but the ICRC office head told us it would take months for the "no food parcels" policy to have a deleterious effect on the prison population's nutritional requirements. The ICRC chief also noted that a system of twice-monthly visits was well within the international requirement for "regular" visitation rights. Rwandan officials have said for some time that the twice- or thrice-weekly visit policy had been a significant administrative burden for the prison system. Director of Prisons Steven Balinda told PolChief in a separate meeting the food parcel changes, though universally disliked by his prison directors, would move forward and that the GOR would be able to meet the nutritional needs of its prison population. He said a commissary/canteen system would soon be established to allow prisoners to purchase supplemental foods.

¶9. (U) Comment: The coming months will show if the GOR can indeed provide sufficient nutritional support to its thousands of prisoners. Commissaries, which will require payment, may mean that many prisoners formerly reliant upon family farm contributions of food will go without; spare cash is short among Rwanda's impoverished rural majority. We will continue to follow developments. End comment.

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Senate Calls for Closure of Controversial Detention Center  
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¶10. (SBU) Prime Minister Bernard Makuza and other GOR officials including the Minister of Gender and Family Promotion and State Ministers for Education and Community Development and Social Affairs were called to the Senate on July 25 to address findings of a Senate commission on GOR efforts to support orphans and street children. The Commission's report included a chapter on rehabilitation centers for street children, including the controversial Gikondo Center (ref C). The report noted the lack of adequate mechanisms in place to address the "forces" contributing to the large numbers of street children. It also was critical of the funding and management structures, and coordination and evaluation processes in the ten rehabilitation centers they visited. The Commission singled out the Gikondo Center and found it did not provide necessary social services and violated the rights of those held there, including adult men informally called "thugs" by prison staff. Among its other recommendations, the Commission called for the Gikondo Center's closure. Makuza said closing the center was "not possible at the moment" given it was created legally.

¶11. (U) Comment: The Senate commission's report is a positive sign of GOR engagement on the issue of street children. Its recommendations for improvement of GOR rehabilitation centers, particularly the closure of the troubled Gikondo Center (mentioned in previous Human Rights Reports) and calls for deeper solutions to child poverty are similarly encouraging.

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